



<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b>  Mark S. Lichtenstein AKERMAN LLP 1251 Avenue of the Americas, 37th Floor New York, NY 10020 Telephone: (212) 880-3800 Facsimile: (212) mark.lichtenstein@akerman.com  <i>Counsel to Plan Administrator</i>	<b>Order Filed on May 10, 2024 by Clerk U.S. Bankruptcy Court District of New Jersey</b>
In re:  BED BATH & BEYOND INC., <i>et al.</i> , <sup>1</sup>  Debtors.	Chapter 11  Case No. 23-13359 (VFP)  (Jointly Administered)

**ORDER GRANTING MOTION OF MICHAEL GOLDBERG, AS PLAN  
ADMINISTRATOR, FOR ENTRY OF AN ORDER ENFORCING  
THE TERMS OF THE CHAPTER 11 JOINT PLAN INJUNCTION**

The relief set forth on the following pages, numbered two (2) through three (3), is **ORDERED**.

**DATED: May 10, 2024**

  
\_\_\_\_\_  
**Honorable Vincent F. Papalia  
United States Bankruptcy Judge**

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtor's proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

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Debtors: BED BATH & BEYOND INC., *et al.*

Case No. 23-13359-VFP

Caption of Order: ORDER GRANTING MOTION OF MICHAEL GOLDBERG, AS PLAN ADMINISTRATOR, FOR ENTRY OF AN ORDER ENFORCING THE TERMS OF THE CHAPTER 11 JOINT PLAN INJUNCTION

Upon the *Motion for an Order Enforcing the Terms of the Chapter 11 Joint Plan Injunction and for related relief* [Docket No. 2778] (the “Motion”), filed by Akerman LLP, attorneys for Michael Goldberg, as plan administrator (the “Movant”) for the debtor, Buy Buy Baby, Inc. (the “Debtor”), for entry of an order (this “Order”), enforcing the Chapter 11 Plan Injunction against The People of the State of New York (“NYS”) and the Nassau County Fire Marshall (the “Fire Marshall”) and to preclude them from seeking any criminal penalties and monetary recoveries against the Debtor, the Wind Down Debtors or the Plan Administrator, individually or in his capacity as fiduciary of the Wind Down Debtors' estates as appointed by this Court, other than as a monetary claimant against the Debtor's estate; and it appearing that proper and adequate notice of the Motion has been given and that no other of further notice is necessary; and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and the NYS and the Fire Marshall having not opposed the Motion and having agreed to the relief sought; and upon the representations of Movant, by counsel, to the Court on February 7, 2024; and after due deliberation and sufficient cause appearing therefor

**IT IS HEREBY ORDERED THAT:**

1. The Motion is hereby GRANTED as set forth herein.
2. The Plan Injunction<sup>2</sup> is hereby enforced against NYS and the Fire Marshall.
3. The actions styled as *The People of the State of New York v. Buy Buy Baby, Inc.* pending in the Nassau District Court under Docket Numbers CR-021755-22NA and CR-006855-23NA against the Debtor, are hereby enjoined with prejudice by the Plan Injunction from pursuing any

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<sup>2</sup> All capitalized terms not defined herein shall bear as their meaning the definitions ascribed to them in the Motion.

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Debtors: BED BATH & BEYOND INC., *et al.*

Case No. 23-13359-VFP

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CHAPTER 11 JOINT PLAN INJUNCTION

claims, criminal or civil, against the Debtor, the reorganized Debtor, or their affiliated debtors, and  
the Movant, other than as expressly permitted below.

4. The People of the State of New York are hereby authorized to file a late filed claim  
against the Debtor for any fines or penalties incurred by the Debtor's estate as detailed in the  
District Court Action within sixty (60) days of the date of the entry of this Order.

In re:  
Bed Bath & Beyond Inc.  
Debtor

Case No. 23-13359-VFP  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: May 13, 2024

User: admin  
Form ID: pdf903

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Total Noticed: 13

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 15, 2024:

Recip ID	Recipient Name and Address
db	+ Bed Bath & Beyond Inc., 650 Liberty Avenue, Union, NJ 07083-8107
aty	+ Casey McGushin, 3101 Old Jacksonville Road, Springfield, IL 62704-6488
aty	+ Jacob E. Black, Kirkland and Ellis LLP., 3101 Old Jacksonville Road, Springfield, IL 62704-6488
aty	+ Max M Freedman, Kirkland & Ellis LLP, 300 North LaSalle Street, Chicago, IL 60654-5412

TOTAL: 4

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	^ MEBN	May 13 2024 20:41:32	Charles B. Sterrett, Kirkland & Ellis, 300 North LaSalle Street, Chicago, IL 60654-5412
aty	^ MEBN	May 13 2024 20:44:01	Derek I. Hunter, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:43:09	Emily E. Geier, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:43:47	Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:45:05	Michael A. Sloman, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:42:13	Noah Z. Sosnick, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:44:49	Olivia F. Acuna, Kirkland and Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643
aty	^ MEBN	May 13 2024 20:43:12	Richard U.S. Howell, P.C, KIRKLAND & ELLIS LLP, KIRKLAND & ELLIS INTERNATIONAL LLP, 300 North LaSalle Street, Chicago, IL 60654-5412
aty	^ MEBN	May 13 2024 20:42:10	Ross Fiedler, Kirkland & Ellis LLP, 601 Lexington Avenue, New York, NY 10022-4643

TOTAL: 9

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities

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in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 15, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 10, 2024 at the address(es) listed below:

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A. Jeff Ifrah	on behalf of Interested Party Federal Insurance Company jeff@ifrahlaw.com
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Allen Joseph Underwood, II	on behalf of Creditor 12535 SE 82nd AVE LLC aunderwood@litedepalma.com ajunderwood@ecf.courtdrive.com;grodriguez@litedepalma.com
Allyson Stavis	

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Daniel Stolz	on behalf of Interested Party Ad Hoc Committee of Bondholders dstolz@genovaburns.com dstolz@ecf.inforuptcy.com;msousa@genovaburns.com



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